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9 December 1955

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Minutes of the meeting of
The Commission of Fine Arts held on
9 December 1955

The Commission of Fine Arts met, pursuant to notice, at 9:30 a.m. with Mr. David E. Finley, Chairman, presiding.

Present were: David E. Finley, Chairman
Elbert Peets
Felix de Weldon
Mrs. Muir
William G. Perry

L.R. Wilson, Secretary

Draft of New Executive Order

Mr. Bruce Wright, a member of the Solicitor's Office, Department of the Interior, conferred with the Commission regarding the points to be covered in drafting a new Executive Order for the Commission of Fine Arts. Following a discussion, Mr. Wright stated that he would submit, as soon as possible, a draft for the members to study.

Theodore Roosevelt Bridge at Constitution Avenue, N.W.

The Theodore Roosevelt Bridge was discussed at length, especially the question of ways to provide a motor vehicle access from the bridge to the Island. Mr. Peets explained a sketch he had prepared, showing the access from the bridge, with parking spaces for buses, etc. After discussing Mr. Peet's sketch, it was left with the Secretary, who was asked to discuss its possibilities with the D. C. Highway Department.

Development of Great Plaza-Federal Triangle, as a Park

Inasmuch as no answer had as yet been received to a letter which had been written to the Chairman of the National Capital Planning Commission, recommending that the Commission determine what steps were necessary to convert the Great Plaza from a parking lot to a landscaped park, it was agreed to invite the Director of the Planning Commission to meet with the members and discuss the matter. Mr. John Nolen kindly consented to do so and reviewed the history of the Great Plaza briefly from the time the Triangle buildings were erected until after World War II. Following a discussion, Mr. Nolen stated that the staff of the National Capital Planning Commission would like to study, in cooperation with the Commission of Fine Arts, the original study for the Great Plaza, and make up a series of sketches of what might be done. The members pledged their assistance to Mr. Nolen on this project.

Proposed Information Center for the National Park Service at
15th Street, Nw. and Pennsylvania Avenue

A proposal of the National Park Service to erect an information center on a site (Square 226) at 15th Street and Pennsylvania Avenue was reviewed, and the members reaffirmed their opinion that this area should not be used as a building site but developed as a park. The idea of creating such a center was a desirable one, but not in this important location.

Postage Stamp Design-Advisory Committee Disbanded

The Secretary reported that Mr. Laurence White, President of the National Academy of Design had become rather impatient about having government recognition of the advisory committee of members of the Academy who were working with the Post Office Department on the design of stamps.

The Chairman stated that he had talked with Mr. White at a meeting of the Smithsonian Art Commission and believed that now Mr. White understood the reasons why recognition was not advisable. The Secretary then reported that in a telephone call, Mr. Robertson at the Post Office Department, had stated that he had had a conference with Mr. White and they had agreed to disband the advisory committee, and to work with each artist individually. Design of stamps had again been turned over to the Bureau of Engraving and Printing designers.

Submissions of the D. C. Supervising Architect

Addition to Anacostia High School, 16th and R Streets, NE

The members reviewed the preliminary plans and drawings for the above described project and approved them in general, after making several suggestions for revisions which they felt could be incorporated into the development of the plans. Exhibit A.

Addition to Eliot Junior High School, 19th Street and Constitution Avenue, N.E.

After reviewing the preliminary plans and drawings, the members approved them, in general, but urged that special attention be given to the execution of the designs and the selection and treatment of materials to be used. Exhibit B.

Engine Company #32-Rescue Squad #3, Fire Department
24th and Irving Streets N.E.

After reviewing the preliminary plans and drawings, the members approved the plans, in general, and expressed the opinion that the success of the design for this building would depend on careful attention to texture and color harmony of materials as well as careful supervision of construction. Exhibit C.

Discussion on Proposed Legislation

The Secretary reported that a bill had been introduced by Congressman Frank Thompson, calling for the establishment of a 21-member Advisory Commission on the Fine Arts to be in the Department of State (HR 5040/84th Congress). He also stated that a second bill, which had been amended to meet the wishes of Congressman Thompson, had also been introduced calling for a 21-member Commission to be in the Department of Health, Education and Welfare to give advice to the Government on art matters. (H.R. 5756/84th Congress). Exhibits D and E.

The Secretary stated that the Bureau of the Budget had requested the Commission's views on these two bills. The members recommended that action on the bills be deferred to the opinions of the Department of State and the Department of Health, Education and Welfare; also that the Commission of Fine Arts considered such large groups undesirable and impracticable in actual work.

Draft Legislation for appropriation for art work in the decoration of public buildings.

The Secretary reported that he had talked with Mr. Hunter of the Public Buildings Service who had agreed to meet with him soon and work on the draft of the legislation authorizing appropriations for art work in the decoration of public buildings.

Shipstead-Luce Submissions-Informal

Electric Time and Temperature Indicator by Interstate Building Association, Washington Bldg., 15th Street and New York Avenue, N. W.

The Secretary reported that the Interstate Building Association wished to put an electric time and temperature indicator on the Washington Building, where they have offices. The members did not think this was a suitable sign for such an important location and instructed the Secretary to report their views to the Interstate Building Association.

S. L. 1809 - 1013 D Street-Single faced sign for Capital Cameras

The members considered the submission for a flashing electric sign for the Capital Cameras Shop and instructed the Secretary to discuss the matter with the owner and to try to get him to use plain lettering in his sign rather than flashing.

S. L. 1810 - 4425-29; 4501-21-15 Colorado Avenue and 4601 Blagdon Terrace Northwest-new development

The Secretary explained that the land at Colorado Avenue and Blagdon Terrace had been purchased by someone who desired to develop it into a community of new homes for resale. After looking at the submission, the members agreed that not enough information had been furnished to enable them to make any recommendations and instructed the Secretary to talk with the developer in an effort to get better drawings and plans to present at the next meeting.

S.L. 1812 - 2238 Que Street, N.W. - Erection of private garage.

The Secretary presented the drawings and plans for a private garage at 2238 Que Street, facing Rock Creek Park. The members considered it and approved the design as submitted.

Meeting adjourned at 1:05 p.m.


L. R. Wilson
Secretary

12/24/10

22 December 1935

Mr. H. A. Cox, Supervising Architect
Department of Buildings and Grounds
300 Indiana Avenue, N. W.
Washington 1, D. C.

Dear Mr. Cox:

In a meeting on 9 November 1935, the Commission of Fine Arts considered preliminary plans for an addition to Eliza
Smith High School, at 17th Street and Constitution Avenue,
N.W., in accordance with plans accompanying your letter
of 3 December 1934.

The Commission approved the plans in general. The
members considered that the extension of the building as the
work, as portrayed, made a good addition to the problem,
and that the architect had produced a pleasing design. They
suggested, however, that the execution of the design will de-
pend largely on the execution, and will require careful at-
tention to the texture and treatment of materials.

The plans and rendering have been referred to your
office.

(Sincerely yours)

W. W. Aldrich
Secretary

20 December 1955

H. W. A. Cox, Supervising Architect
Department of Buildings and Grounds
100 Indiana Avenue, N. W.
Washington 1, D. C.

Dear Mr. Cox:

At a meeting on 8 December 1955, the Commission of Fine Arts considered preliminary plans for a building to house
Hague Company, Inc. 19 - Avenue Dupont N. W., U. S. Air Department,
at 19th and Irving Streets, Southwest, in accordance with
plans accompanying your letter of 2 December 1955.

The Commission approved the design in general. The
members complimented the architect and closely solved the
problem and the anticipated planning designs for the building.
In this regard, the success of this building will depend
upon careful cooperation with the architect through the
supervisory person to provide location and manner of color,
and careful installation of materials.

The plans and rendering have been returned to your
office.

Sincerely yours,

H. W. A. Cox

84TH CONGRESS
1ST SESSION

H. R. 5040

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 1955

Mr. THOMPSON of New Jersey introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To establish a program of cultural interchange with foreign countries to meet the challenge of competitive coexistence with communism, to establish a Federal Advisory Commission to advise the Federal Government on ways to encourage artistic and cultural endeavor and appreciation, to provide awards of merit, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That this Act may be cited as the "American National Arts
- 4 Act".

1 often misunderstood; and (5) peace is not primarily in the
2 hands of elected political leaders. It is in the hands of the
3 family and the home, the church and the school.

4 (c) It is therefore declared to be the policy of the
5 Congress and the purpose of this Act (1) to assist the sev-
6 eral States in developing projects and programs in the fine
7 arts in order to serve better the needs of the people of the
8 United States, and to encourage the growth and develop-
9 ment of the fine arts throughout the United States for the
10 purpose of developing greater knowledge, understanding,
11 and practice of the fine arts; (2) to establish a Federal
12 Advisory Commission on the Arts within the Department
13 of Health, Education, and Welfare to advise the Federal
14 Government on ways to encourage artistic and cultural
15 endeavor and appreciation, and to provide for awards of
16 merit whereby we can honor our fellow citizens who make
17 great contributions to the advancement of our civilization
18 and of our country; (3) to facilitate the formulation
19 of plans for the development of the fine arts in time of
20 war, depression, or other national emergency, in order
21 to prevent our cultural institutions from shrinking in impor-
22 tance or passing out of existence and to avoid the often
23 deplorable standards exemplified by art projects of Federal
24 agencies at such times in the past, and in order to offset

1 declining employment by providing for Federal assistance
2 to States and local governments in projects for the construc-
3 tion, alteration, expansion, and repair of public facilities and
4 for the development of cultural programs; (4) to integrate,
5 coordinate, improve, and raise the standards of the fine
6 arts programs which are presently being carried on in more
7 than fifteen Federal departments and agencies; (5) to re-
8 affirm our faith in fundamental human rights, and in the
9 dignity and worth of the human person; to fortify and
10 preserve the principles of democracy, personal freedom,
11 and political liberty, the constitutional traditions, and the
12 rule of law, which are our heritage; and to strengthen,
13 with these aims in view, through cultural interchange, the
14 social and cultural ties which unite us as a people and with
15 the free nations of the world, with our allies, and with other
16 States inspired by the same ideals and animated by a like
17 determination to resist aggression; (6) to stimulate private,
18 business, and foundation giving to the liberal and fine arts;
19 (7) to protect and preserve our artistic and historic in-
20 heritance through the protection and restoration of historic
21 monuments, houses, buildings, and sections of our cities;
22 and (8) to destroy finally the Communist myth that Ameri-
23 cans are insensitive, materialistic barbarians.

1 TITLE I—DEVELOPMENT OF FINE ARTS PRO-
2 GRAMS AND PROJECTS INVOLVING THE
3 INTERCHANGE OF PERFORMING ARTISTS
4 WITH OTHER COUNTRIES

5 DECLARATION OF PURPOSE

6 SEC. 101. The purpose of this title is—

7 (1) to provide specific means for strengthening the
8 social and cultural ties which unite us as a people and
9 with the free nations of the world, with our allies, and
10 with other nations inspired by the same ideals and ani-
11 mated by a like determination to resist aggression; and

12 (2) to authorize programs and projects on a basis
13 of cooperation with peoples of other nations to demon-
14 strate the social and cultural developments and achieve-
15 ments of the people of the United States and the people
16 of such other nations for the purpose of promoting
17 mutual understanding and respect.

18 INTERCHANGE OF PERFORMING ARTISTS

19 SEC. 102. (a) The Secretary of State is authorized to
20 provide for the interchange between the United States and
21 other countries of performing artists in the field of art,
22 drama, music, and dance. In the development of projects
23 and the selection of participants for purposes of this title,
24 priority shall be given to professional and amateur presenta-

1 tions of high quality dramatic productions, musical comedies,
2 operas, ballet productions, concert groups, and individual
3 singers, dancers, and concert artists. Whenever possible, the
4 selection of individuals and groups to participate in projects
5 in any field of the fine arts shall be determined in consulta-
6 tion with groups of private citizens who are generally recog-
7 nized by the public as being authoritative in that field.
8 Special consideration should be given, particularly in the
9 fields of music and drama, to the presentation abroad by
10 American performers of works of American writers and
11 composers.

12 (b) The United States Advisory Commission on Educa-
13 tional Exchange, created by section 601 of the United
14 States Information and Educational Exchange Act of 1948
15 (22 U. S. C., sec. 1466), shall formulate and recommend
16 policies and programs for carrying out this title.

17 (c) The United States Advisory Commission on Edu-
18 cational Exchange shall advise and consult with the Federal
19 Advisory Commission on the Arts (created by section 210-
20 of this Act) in carrying out the provisions of this title.

21 AUTHORIZATION OF APPROPRIATION

22 SEC. 103. There are hereby authorized to be appro-
23 priated such sums as may be necessary to carry out the
24 purposes of this title.

1 ADMINISTRATIVE PROVISIONS

2 SEC. 104. The Secretary of State is hereby authorized
3 to carry out the purposes of this title in accordance with
4 the applicable provisions of the United States Information
5 and Educational Exchange Act of 1948.

6 UTILIZATION OF PRIVATE AGENCIES

7 SEC. 105. To the maximum extent feasible, private
8 agencies shall be encouraged to participate in carrying out
9 the purposes of this title, and funds appropriated hereunder
10 shall be used to the maximum extent practicable in under-
11 writing the costs of selected professional and amateur per-
12 formances through normal commercial channels as may be
13 developed for the purposes of this title.

14 TITLE II—GRANTS TO STATES FOR THE DE-
15 VELOPMENT OF FINE ARTS PROGRAMS
16 AND PROJECTS

17 DECLARATION OF PURPOSE

18 SEC. 201. The purpose of this title is—

19 (1) to assist the several States to inventory their
20 existing programs in the fine arts of music, dance,
21 theater, literature, architecture, painting, sculpture, and
22 the other fine arts, to survey the need for additional
23 programs in these arts, and to develop programs and
24 projects for public and other nonprofit activities in the

1 fine arts in such a manner as will, in conjunction with
2 existing programs and facilities, furnish adequate pro-
3 grams, facilities, and services in the fine arts to all their
4 people;

5 (2) to assist in the construction of public and other
6 nonprofit centers for music, dance, theater, literature,
7 architecture, painting, sculpture, and the other fine arts
8 in accordance with such programs, and particularly to
9 assist in the construction of such centers in communities
10 where urban renewal or redevelopment projects have
11 been undertaken by local public agencies as provided in
12 title I of the Housing Act of 1949, as amended;

13 (3) to assist the several States to protect and pre-
14 serve our artistic and historic inheritance through the
15 protection and restoration of historic monuments, houses,
16 buildings, and sections of our cities;

17 (4) to assist the several States in developing proj-
18 ects and programs designed to supply leadership, train-
19 ing, and experience in the field of fine arts; and

20 (5) to authorize the Secretary to conduct and
21 make grants for the conduct of research, experiments,
22 and demonstrations relating to the effective development
23 and utilization of facilities and resources in the fields

1 of the fine arts, and to encourage the presentation in all
2 parts of the country of productions and programs in
3 every field of the fine arts.

4 AUTHORIZATION OF APPROPRIATIONS

5 SEC. 202. In order to assist the States in carrying out
6 the purpose of this title and the purpose of this Act, there
7 are hereby authorized to be appropriated for the fiscal year
8 1955 and subsequent fiscal years such sums, not to exceed
9 \$5,500,000 for any one fiscal year, as may be necessary for
10 the effective development of public and other nonprofit fine
11 arts programs and projects.

12 STATE PLANS

13 SEC. 203. (a) Any State which desires to take advan-
14 tage of the benefits of this title may submit a State plan
15 for carrying out the purpose of this title. Such State plan
16 must—

17 (1) designate the State department of education or
18 a similar State agency selected by the Governor (herein-
19 after in this title referred to as the "State agency") as
20 the sole agency for the administration, supervision, and
21 control of the State plan;

22 (2) contain satisfactory evidence that the State
23 agency will have authority to carry out such plan in
24 accordance with this title;

25 (3) provide that the State treasurer (or, if there

1 is no State treasurer, the officer exercising similar
2 functions for the State) be appointed as custodian of
3 funds received under this title from the Federal
4 Government and receive and provide for the proper
5 custody of such funds;

6 (4) set forth the program, policies, and methods
7 to be followed in carrying out the State plan and in its
8 administration and supervision;

9 (5) contain adequate assurances that high stand-
10 ards will be maintained for the fine arts programs and
11 projects assisted under this title;

12 (6) provide for such methods of administration
13 as the Secretary deems necessary for the proper and
14 efficient administration of the plan;

15 (7) provide that the State agency will make such
16 reports, in such form and containing such information, as
17 the Secretary may from time to time require, and comply
18 with such provisions as the Secretary may find neces-
19 sary to assure the correctness and verification of such
20 reports;

21 (8) provide such rules, regulations, and standards
22 with respect to expenditures of funds made available
23 under this title as the Secretary may find reasonable and
24 necessary; and

25 (9) provide that the State agency will from time to

1 time review its fine arts programs and projects and sub-
2 mit to the Secretary any modifications thereof which it
3 considers appropriate.

4 (b) The Secretary shall approve any State plan and
5 any modification thereof which he believes to be feasible and
6 which complies with subsection (a).

7 (c) No changes in a State plan shall be required within
8 two years after the initial approval thereof, or within two
9 years after any change thereafter required therein, by reason
10 of any change in regulations prescribed by the Secretary,
11 except with the consent of the State or in accordance with
12 further action by the Congress.

13 (d) The State plan may include standards for deter-
14 mination of the Federal share of the cost of fine arts pro-
15 grams and projects approved in the State. Such standards
16 shall provide equitably (and to the extent practicable, on the
17 basis of objective criteria) for variations between programs
18 and classes of programs, and between projects and classes of
19 projects, on the basis of the economic and cultural status of
20 areas, the relative need for additional programs and projects
21 as between areas, and other relevant factors. No such
22 standards shall provide for a Federal share of more than 50
23 per centum of the cost of any such program or project. The
24 Secretary shall approve any such standards and any modifi-

1 cations thereof which comply with the purpose of this title
2 and the purpose of this Act.

3 CONSTRUCTION PROJECTS

4 SEC. 204. For each project undertaken pursuant to a
5 State plan to carry out the purpose of section 201 (2),
6 there shall be submitted to the Secretary a special application
7 by the State agency or by the political subdivision, institu-
8 tion, or organization undertaking the project. Such appli-
9 cation shall set forth such information (including a descrip-
10 tion of the project and its plans and specifications in detail)
11 and assurances as the Secretary may require. The Secretary
12 shall approve such application if he determines that the
13 project is feasible, desirable, and consistent with this Act,
14 and if he determines, on the basis of consultation with the
15 Council of Economic Advisers, that the project is consistent
16 with the policy of the Employment Act of 1946 and the
17 responsibility of the Federal Government thereunder in
18 promoting maximum employment, production, and purchas-
19 ing power; and no Federal funds shall be available for the
20 project until the application has been so approved. No such
21 application shall be disapproved until the Secretary has
22 afforded the State agency an opportunity for a hearing.

1 ALLOTMENTS TO STATES

2 SEC. 205. (a) Each State for which a State plan has
3 been approved prior to or during a fiscal year shall be en-
4 titled for such year to an allotment not to exceed \$100,000
5 (as determined by the Secretary within the limits of avail-
6 able appropriations) to assist in defraying the cost of
7 approved programs and projects in the fine arts within such
8 State for that fiscal year. Such allotment shall be available,
9 in accordance with this title, for payment of the Federal
10 share of such cost.

11 (b) The Secretary shall calculate the allotments to be
12 made under subsection (a) and certify to the Secretary of
13 the Treasury the amounts thereof. Upon receipt of such
14 certification, the Secretary of the Treasury shall, prior to
15 audit or settlement by the General Accounting Office, pay in
16 accordance with such certification. Sums allotted to a State
17 for a fiscal year under this section and remaining unobligated
18 at the end of such year shall be made available to such State
19 for the same purposes for the next fiscal year (and for such
20 year only, except in the case of sums allotted to carry out
21 the purpose of section 201 (2)) in addition to the sums
22 allotted to such State for such next fiscal year. Any amount
23 of the sum appropriated pursuant to the authorization con-
24 tained in section 202 for a fiscal year which is not allotted
25 in such year by reason of the failure of any State or States

1 to have a plan approved under this title, and any amount
2 allotted to a State but remaining unobligated at the end
3 of the period for which it is available to such State under
4 the preceding sentence, is hereby authorized to be appro-
5 priated for the next fiscal year in addition to the sum other-
6 wise authorized for such next fiscal year under section 202.

7 (c) For the purposes of this section, the term "Federal
8 share" with respect to any program or project means the
9 proportion of the cost of such program or project to be paid
10 by the Federal Government, and shall be determined as
11 follows:

12 (1) If the State plan in effect at the time of such
13 program or project contains standards approved by the
14 Secretary as provided in section 203 (d), the Federal
15 share with respect to such program or project shall be
16 determined by the State agency in accordance with such
17 standards;

18 (2) If the State plan does not contain such stand-
19 ards, the Federal share shall be the amount, not more
20 than 50 per centum of the cost of the program or proj-
21 ect involved as established by the State agency, deter-
22 mined by the Secretary at the time he approves the
23 State plan.

1 WITHHOLDING OF CERTIFICATION

2 SEC. 206. Whenever the Secretary, after reasonable
3 notice and opportunity for hearing to the State agency,
4 finds—

5 (1) that such agency is not complying substantially
6 with the provisions of this title or the terms and con-
7 ditions of its State plan approved under this title;

8 (2) that any funds paid to such agency under this
9 title have been diverted from the purposes for which they
10 were allotted or paid;

11 (3) that any assurance given in the State plan is
12 not being or cannot be carried out; or

13 (4) that adequate State funds are not being pro-
14 vided annually for the direct administration of the State
15 plan,

16 the Secretary may forthwith notify the Secretary of the
17 Treasury and the State agency that no further certification
18 will be made under this title with respect to such State
19 agency until there is no longer any default or failure to
20 comply or the diversion has been corrected, or, if compliance
21 or correction is impossible, until the State repays or arranges
22 the repayment of the Federal funds which have been im-
23 properly diverted or expended.

DEFINITIONS

SEC. 207. For the purposes of this title—

(1) The term “Secretary” means the Secretary of Health, Education, and Welfare; and

(2) The term “State” means a State, the District of Columbia, Alaska, Hawaii, Puerto Rico, or the Virgin Islands.

ADMINISTRATION OF TITLE II

SEC. 208. (a) The Secretary is authorized to make such administrative regulations and perform such other functions as he finds necessary to carry out the provisions of this title.

(b) In administering this title, the Secretary is authorized to utilize the services and facilities of any executive department or agency in accordance with an agreement with the head thereof. Payment for such services and facilities shall be made in advance or by way of reimbursement, as may be agreed upon between the Secretary and the head of the executive department or agency furnishing them.

AWARDS OF MERIT

SEC. 209. The Secretary is authorized and directed to establish a number of annual awards of merit, including

1 cash prizes, to honor American citizens who make great
2 contributions to the advancement of our civilization and our
3 country in the fields of the arts, sciences, professions, sports,
4 labor, business, and agriculture. Such awards of merit shall
5 be given in annual ceremonies by the President to those
6 chosen by the Secretary for such contributions. In making
7 such awards, the Secretary shall give due consideration to
8 recommendations submitted by the Federal departments and
9 agencies, by State and local governments, and by public
10 and private organizations and individuals.

11 **FEDERAL ADVISORY COMMISSION ON THE ARTS**

12 **SEC. 210. (a)** There is hereby created within the
13 Department of Health, Education, and Welfare a Federal
14 Advisory Commission on the Arts, which shall advise and
15 consult with the Secretary in carrying out the provisions
16 of this title. The Commission shall consist of nine members
17 appointed by the Secretary, who shall give due consideration
18 in making such appointments to recommendations submitted
19 by the American Council on Education, the Council of State
20 Governments, the General Federation of Women's Clubs,
21 the American Library Association, the American Book Pub-
22 lishers Council, the National Trust for Historic Preservation,
23 the National Congress of Parents and Teachers, the American
24 Federation of Labor, the American Federation of Musicians,

1 the National Music Council, the National Federation of
2 Music Clubs, the American Symphony Orchestra League,
3 the Music Educators National Conference, the National As-
4 sociation of Schools of Music, the American Society of Com-
5 posers, Authors, and Publishers, the American National
6 Theater and Academy, the American Educational Theater
7 Association, the National Theater Conference, the National
8 Association of Community Theaters, the National Recreation
9 Association, the American Recreation Society, the Com-
10 munity Chests and Councils of America, Incorporated, the
11 National Social Welfare Assembly, the Motion Picture As-
12 sociation of America, Incorporated, the National Association
13 of Radio and Television Broadcasters, the National Citizens
14 Committee for Educational Television, the Committee on
15 Government and Art, the American Institute of Architects,
16 the American Federation of Arts, the College Art Associ-
17 ation, the National Art Education Association, the National
18 Institute of Arts and Letters, and other organizations in the
19 field of the fine arts.

20 (b) The Federal Advisory Commission on the Arts
21 shall advise generally upon questions of art when required
22 to do so by the President, or by any committee of either
23 House of Congress. The head of each Federal department
24 and agency having a program or programs in any field of the

1 arts, and The United States Advisory Commission on Edu-
2 cational Exchange in the exercise of its functions under sec-
3 tion 102 of this Act, shall call upon the Federal Advisory
4 Commission on the Arts for advice and consultation in carry-
5 ing out such program or programs.

2011

—

A BILL

To establish a program of cultural interchange with foreign countries to meet the challenge of competitive coexistence with communism, to establish a Federal Advisory Commission to advise the Federal Government on ways to encourage artistic and cultural endeavor and appreciation, to provide awards of merit, and for other purposes.

By Mr. THOMPSON of New Jersey

MARCH 17, 1955

Referred to the Committee on Education and Labor

APR 26 1955

NOTED.....

77th CONGRESS
1st Session

H. R. 5756

IN THE HOUSE OF REPRESENTATIVES

April 20, 1955

Mr. WAYS introduced the following bill; which was referred to the Committee on Education and Labor.

A BILL

To provide for the establishment of a Federal Advisory Commission on the Arts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 *That the Congress hereby finds and declares it to be the*
4 *policy of the Congress in enacting this Act—*

5 (a) that the growth and flourishing of the arts
6 depend upon freedom, imagination, and individual
7 initiative;

8 (b) that the encouragement of creative activity in
9 the performance and practice of the arts, and of a wide-
10 spread participation in and appreciation of the arts, is

essential to the general welfare and the national interest;
and

(c) that the encouragement of the arts, while primarily a matter for private and local initiative, is an appropriate matter of concern to the United States Government.

SEC. 2. (a) There is hereby established in the Department of Health, Education, and Welfare a Federal Advisory Commission on the Arts (hereinafter in this Act referred to as the "Commission"). The Commission shall be composed of twenty-one members appointed by the President, from among private citizens of the United States who are widely recognized for their knowledge of or experience in, or for their profound interest in, one or more of the arts. Members of the Commission shall serve at the pleasure of the President. The Commission shall meet at the call of the Chairman or the Secretary of Health, Education, and Welfare (herein referred to as the "Secretary"), but not less often than twice each calendar year. The President shall from time to time designate a member of the Commission to be Chairman.

(b) The Commission shall have an executive Secretary who shall be appointed by the Secretary after consultation with the Commission. Within the limits of appropriations available therefor, the Secretary shall also provide the Com-

1 mission, its executive secretary, and members of its special
 2 committees, necessary secretarial, clerical, and other staff
 3 assistance.

4 **SEC. 3.** The Commission shall undertake studies of, and
 5 make recommendations relating to, appropriate methods,
 6 consistent with the policies set forth in section 1, for en-
 7 couragement of creative activity in the performance and
 8 practice of the arts and of participation in and appreciation
 9 of the arts. Such studies shall be conducted by special com-
 10 mittees of persons, expert in the field of art involved, ap-
 11 pointed by the Secretary after consultation with the
 12 Commission. After considering reports on these studies, the
 13 Commission shall make recommendations in writing to the
 14 Secretary. In the selection of subjects to be studied and in
 15 the formulation of recommendations, the Commission may
 16 obtain the advice of any interested and qualified persons and
 17 organizations.

18 **SEC. 4.** Members of the Commission and members of
 19 special committees appointed pursuant to section 3, while
 20 attending meetings of the Commission or while engaged
 21 in the conduct of studies hereunder, shall receive compen-
 22 sation at a rate to be fixed by the Secretary, but not ex-
 23 ceeding \$50 per diem, and shall be paid travel expenses,
 24 including per diem in lieu of subsistence, as authorized by

1 law (5 U. S. C. 784-2) for persons in the Government
2 service employed intermittently.

3 SEC. 5. (a) Any member of the Commission or of a
4 special committee, appointed under this Act, and any other
5 person appointed, employed, or utilized in an advisory or
6 consultative capacity under this Act is hereby exempted,
7 with respect to such appointment, employment, or utilization,
8 from the operation of sections 281, 283, 284, and
9 1914 of title 18 of the United States Code, except as otherwise
10 wise specified in subsection (b) of this section.

11 (b) (1) The exemption granted by subsection (a) of
12 this section shall not extend to the following acts performed
13 as an officer or employee of the United States by
14 any person so appointed, employed, or utilized: (A) The
15 negotiation or execution of, or (B) the making of any
16 recommendation with respect to, or (C) the taking of
17 any other action with respect to, any individual contract
18 or other arrangement under this Act with the private employer
19 of such person or any corporation, joint stock company,
20 pany, association, firm, partnership, or other business entity
21 in the pecuniary profits or contracts of which such person
22 has any direct or indirect interest.

23 (2) The exemption granted by subsection (a) of this
24 section shall, during the period of such appointment, employment,
25 or utilization and the further period of two years

1 after the termination thereof, not extend to the prosecution
2 or participation in the prosecution, by any person so ap-
3 pointed, employed, or utilized, of any claim against the Gov-
4 ernment involving any individual contract or other arrange-
5 ment entered into pursuant to this Act concerning which the
6 appointee had any responsibility during the period of such
7 appointment, employment, or utilization.

8 SEC. 6. There are hereby authorized to be appropriated
9 to the Department of Health, Education, and Welfare such
10 sums as may be necessary to carry out this Act, including
11 expenses of professional, clerical, and stenographic assist-
12 ance. Such appropriations shall be available for services as
13 authorized by section 15 of the Act of August 2, 1946 (5
14 U. S. C. 55a).

15 SEC. 7. This Act shall not be deemed to invalidate any
16 provision in any Act of Congress or Executive order vesting
17 authority in the Commission of Fine Arts.

